



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Llinas-Brunet, M., et al.) Art Unit: Not Yet Assigned
U.S. Appln. No. : 10/686,755) Examiner: Not Yet Assigned
Confirmation No. : Not Yet Assigned
U.S. Filing Date : 10/16/2003
Title of Invention : Macrocyclic Peptides Active Against the Hepatitis C Virus
Attny. Docket No. : 13/117

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

February 12, 2004

TRANSMITTAL LETTER FOR INFORMATION DISCLOSURE STATEMENT

Sir:

Transmitted herewith concerning the subject application is an Information Disclosure Statement (Form 1449A/B) under 37 C.F.R. §§1.56 and 1.97, as more specifically described hereinbelow.

☒ 1.97(b). This Statement is being filed: i) within three (3) months of the filing date of a national application other than a continued prosecution application under 33 C.F.R. §1.53 (d); ii) within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; iii) before the mailing of a first Office action on the merits; or iv) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114. The references cited in the Information Disclosure Statement by Applicant are discussed in the specification.

☐ 1.97(c). This Statement is being filed after the time period specified in 37 C.F.R. §1.97(b), but before the mailing date of: i) a final action under 37 C.F.R. §1.113, ii) a notice of allowance under 37 C.F.R. §1.311, or iii) an action that otherwise closes prosecution in the application. This Statement is being accompanied by:

☐ A statement as specified in 37 C.F.R. §1.97(e) [see below]; or

☐ The fee set forth in 37 C.F.R. §1.17(p).

☐ The Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.

☐ 1.97(d). This Statement is being filed after the period specified in 37 C.F.R. §1.97(c) but on or before payment of the issue fee. This Statement is accompanied by a statement as specified in 37 C.F.R. §1.97(e) [see below] and the fee set forth in 37 C.F.R. §1.17(p).

☐ 1.97(e).

☐ Each item of information contained in the instant information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the instant information disclosure statement; or

☐ No item of information contained in the instant information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in the instant information disclosure statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three (3) months prior to the filing of the instant information disclosure statement.

☐ The fee set forth in 37 C.F.R. §1.17(p).


☐ The Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.

☐ 1.704(d). Each item of information contained in the accompanying information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, which communication was not received by any individual designated in section 1.56(c) more than thirty (30) days prior to the filing of the accompanying information disclosure statement.


☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. §1.16 and any patent application processing fees under 37 C.F.R. §1.17, or credit any overpayment of same, to Deposit Account No. 02-2955.

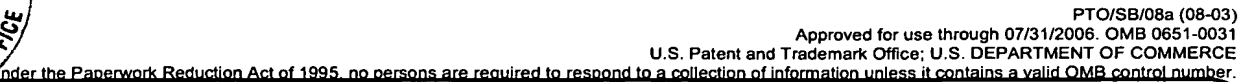
Triplicate copies of this form are enclosed.

Respectfully submitted,


Philip I. Datlow
Attorney for Applicant(s)
Reg. No. 41,482

Patent Department
Boehringer Ingelheim Corp.
900 Ridgebury Road, P.O. Box 368
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Date: February 12, 2004

<p style="text-align: center;">Certificate of Mailing</p> <p>I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:</p> <p>Commissioner For Patents P. O. Box 1450 Alexandria, VA 22313-1450</p> <p>on February 12, 2004.</p> <p style="text-align: right;"> Philip I. Datlow, Reg. No. 41,482</p>
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Complete if Known

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Filing Date	10/16/2003
First Named Inventor	Llinas-Brunet, M.
Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	13/117

Sheet 1 of 3

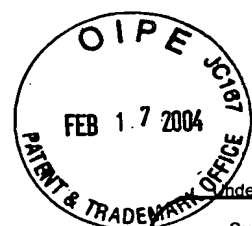
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Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		WO 01/77113 A2	10/18/2001	Schering Corporation		
		WO 01/81325 A2	11/01/2001	Schering Corporation		
		WO 01/85172 A1	11/15/2001	Smithkline Beecham Corporation		
		WO 01/90121 A2	11/29/2001	Novirio Pharmaceuticals Ltd.		
		WO 02/06246 A1	01/24/2002	Istituto Di Ricerche Di Biologia Molecolare		

Examiner Signature		Date Considered	
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2 of 3**Complete if Known**

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U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-			
		US-			
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FOREIGN PATENT DOCUMENTS

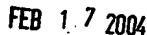
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		WO 02/057287 A2	07/25/2002	Merck & Co., Inc. & Isis Pharmaceuticals, Inc.		
		WO 02/057425 A2	07/25/2002	Merck & Co., Inc. & Isis Pharmaceuticals, Inc.		
		WO 02/060926 A2	08/08/2002	Bristol-Myers Squibb Company		
		WO 02/069903 A2	09/12/2002	Biocryst Pharmaceuticals, Inc.		
		WO 02/098424 A1	12/12/2002	Smithkline Beecham Corporation		

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		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		WO 02/100846 A1	12/19/2002	Shire Biochem Inc.		
		WO 02/100851 A2	12/19/2002	Shire Biochem Inc.		
		WO 03/000254 A1	01/03/2003	Japan Tobacco Inc.		
		WO 03/007945 A1	01/30/2003	Boehringer Ingelheim (Canada) Ltd.		

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